

REMARKS

Claims 1-18 and 22-27 are pending in the application.

ELECTION/RESTRICTIONS:

Applicant previously elected Group I, claims 1-18, without traverse. The Examiner requests that Applicant cancel non-elected claims 19-27. However, Applicant respectfully holds in abeyance the cancellation of claims 22-27 because of their dependencies from claim 1. Upon the allowance of claim 1, Applicant would request that claims 22-27 be rejoined.

35 U.S.C. § 103:

Claims 1-17 are rejected under 35 U.S.C. § 103(a) as being anticipated over Sakich, et al. (U.S. Patent No. 5,926,356 [hereinafter "Sakich"]) in view of Kresge (U.S. Patent No. 4,100,588).

The Examiner has withdrawn the previous rejection, which was based solely on Sakich. The Examiner now additionally relies on Kresge for allegedly teaching to provide a surge arrestor having a varistor with a coating of conductive material (see column 3, lines 50-54 of Kresge). As an initial matter, Applicant respectfully submits that the Examiner's grounds of rejection does not properly describe the teachings of Kresge. In particular, on page 3 of the Office Action, the Examiner asserts that Kresge "teaches a process of transferring heat away from the surge arrestor with a limitation of coating the varistor...with conductive material in order to improve the physical contact and electrical connection between the varistors." The element of Kresge that is disclosed as conducting heat is the "heat transfer and sinking material 18," as indicated in column 3, line 50. Line 51 of column 3 then goes on to disclose a

“conductive electrode coating,” applied to the varistors 16 such that they are connected electrically in series by the contact between the adjacent faces. Thus, it is not the conductive electrode coating that transfers away the heat.

Turning to claims, claim 1 recites, *inter alia*, “making a stack of varistors such that the varistors touch each other.” It was previously submitted by Applicant that the alleged varistors 60 and 62 of Sakich *do not* contact each other. Instead, they are separated by the contact disc 78. It appears that the Examiner is now contending that one skilled in the art would have been motivated to utilize the conductive coating approach disclosed in Kresge to replace the compact disc 78 of Sakich, such that the varistors 60 and 62 would be electrically connected, while also contacting each other.

Claim 1 also recites an operation of depositing “a bead of flexible, adhesive, and dielectric material on the previously-formed stack at interfaces between each adjacent pair of varistors where the varistors touch each other.” The Examiner contends that element 110 of Sakich discloses the claimed “bead of flexible, adhesive, and dielectric material.” Element 110 is described as being a “plastic film barrier,” which laterally surrounds the electrical components 60 and 62 (see column 4, lines 38 and 39 of Sakich).

Applicant previously submitted that the “plastic film barrier,” does not disclose the claimed operation of providing the “bead” of flexible, adhesive, and dielectric material because the plastic film barrier is not a “bead.” Nevertheless, to expedite prosecution, Applicant amends claim 1 to specify “individual beads” which are “spaced apart from each other in an axial direction of the stack.” Claim 1 now further differentiates the claimed beads from the applied plastic film barrier of Sakich. Sakich discloses a single layer which has no separation. The film

barrier 110 of Sakich could not be reasonably interpreted as disclosing individual beads that are spaced apart from each other in the axial direction.

Moreover, Kresge does not describe a step of depositing a bead of flexible, adhesive, and dielectric material on a previously-formed stack at interfaces between adjacent pair of varistors. Indeed, the “collars” of Kresge do not cover the interfaces between adjacent pair of varistors, as in claim 1. The collars described in Kresge provide a thermal coupling of the varistors to the porcelain and are not intended to provide dielectric strength against shocks (adhesive function), nor do they provide a sealing function. Moreover, the collars exist on the varistors before stacking, which is evidenced by Kresge’s asserted advantage that the individually collared varistor units are easier to handle and to install in the arrester, than the varistors themselves, without the collars (see Kresge, column 4, lines 61-65).

Thus, for at least the many reasons provided above, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn. The rejection of dependent claims 2-17 should similarly be withdrawn at least by virtue of their respective dependencies upon claim 1.

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakich in view of Kresge and Helgeland et al. (U.S. Patent No. 3,645,784 [hereinafter “Helgeland”]).

The Examiner applies Helgeland for disclosing to coat a resistor to provide stress resistance. Applicant respectfully submits that the application of Helgeland fails to make up for the deficient teachings of Sakich, such that claim 18 is patentable over the combination of Sakich, Kresge and Helgeland, at least by virtue of its dependency on claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No. 10/690,829

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

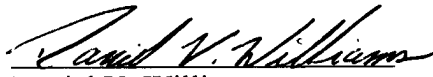
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